

REMARKS:Status

This response cancels claims 1 to 8, 10 to 17, 19 to 29, 31, 32, 46 to 48, 50 to 56, 58 to 64, 66 to 68, and 71 to 73, amends claims 33, 49, 69, 74, 75 and 78, and adds claims 79 to 88. After this response, claims 33 to 38, 40 to 43, 45, 49, 69, 70, and 74 to 88 are pending. Claims 33, 49, 69, 74 and 75 are the pending independent claims. Reconsideration and further examination are respectfully requested.

Claim Rejections

The pending claims were rejected under 35 U.S.C. § 102(b) or § 103(a) over “Persistent Messages in Local Transactions” (Lowell), alone or in combination with “Fault Tolerance Under UNIX” (Borg).

Claims 33 to 38, 40 to 43, and 45: Claim 33 is the independent one of these claims and is reproduced as amended below:

33. A method including
delivering at least one event message to a multiplexing recipient
for delivery through said multiplexing recipient to at least one intended
recipient;
maintaining said event message in a persistent memory at said
multiplexing recipient; and
reliably delivering said event message from said multiplexing
recipient to said at least one intended recipient of said event message.

This claim was rejected under § 103(a) over Lowell. That reference is not seen by Applicant to disclose or to suggest at least the claim's feature of "delivering at least one event message to a multiplexing recipient for delivery through said multiplexing recipient to at least one intended recipient."

The Office Action stated the following in the rejection of the previous version of claim 33: "It would have been well known to one skilled in the art at the time the invention was made that a client and server system can involve multiplex communication across a network." Even if true (a point which Applicant does not concede), the amended claim recites more than that the communication involves multiplex communication. Rather, the claim now recites "delivery *through said multiplexing recipient* to at least one intended recipient" (emphasis added). As a result of this feature, the claimed invention is capable of ensuring that an event message is stored in persistent memory at the multiplexing agent before reaching the intended recipient(s). Applicant sees nothing in either Lowell or the other applied reference in this case (Borg) that suggests such a feature.

In view of the foregoing, reconsideration and withdrawal are respectfully requested of the rejections of claim 33 and its dependent claims.

Claims 49 and 79 to 88: These claims recite memories including instructions that correspond to the steps of the methods of claim 33 and its dependent claims. Accordingly, reconsideration and withdrawal are respectfully requested of these claims as well.

Claims 69 and 70: Claim 69 is the independent one of these claims and is reproduced as amended below:

69. Apparatus including
 means for delivering at least one event message to a multiplexing recipient for delivery through said multiplexing recipient to at least one intended recipient;
 means for maintaining said event message in a persistent memory at said multiplexing recipient; and
 means for reliably delivering said event message from said multiplexing recipient to said at least one intended recipient of said event message.

This claim was rejected under § 103(a) over Lowell. As discussed above, Applicant sees nothing in either Lowell or the other applied reference in this case (Borg) that suggests “delivering at least one event message to a multiplexing recipient for delivery through said multiplexing recipient to at least one intended recipient.” Accordingly, reconsideration and withdrawal are respectfully requested of the rejections of claims 69 and 70.

Claim 74: This claim is reproduced as amended below:

74. In a method including reliable delivery of event messages, a persistent memory including
 a persistent record of at least one event message at a multiplexing recipient, said at least one event message intended for delivery to at least one intended recipient through said multiplexing recipient; and
 an instance of said event message deliverable from said multiplexing recipient to at least one intended recipient of said event message.

This claim was rejected under § 103(a) over Lowell. Applicant sees nothing in either Lowell or the other applied reference in this case (Borg) that suggests “said at least one event message intended for delivery to at least one intended recipient through said multiplexing recipient.” Accordingly, reconsideration and withdrawal are respectfully requested of the rejection of claim 74.

Claims 75 to 78: Claim 75 is the independent one of these claims and is reproduced as amended below:

75. In apparatus having elements capable of performing a method, said method including reliable delivery of event messages, a persistent memory including
a persistent record at a multiplexing recipient of at least one event message intended for delivery to at least one intended recipient through said multiplexing recipient, said persistent record maintained until said at least one intended recipient of said event message confirms delivery of said event message; and
upon recovery from an error, a replayable instance of said event message.

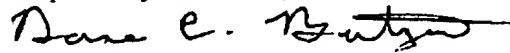
This claim was rejected under § 102(b) over Lowell. Applicant sees nothing in either Lowell or the other applied reference in this case (Borg) that suggests “at least one event message intended for delivery to at least one intended recipient through said multiplexing recipient.” Accordingly, reconsideration and withdrawal are respectfully requested of the rejections of claims 75 and its dependent claims.

Closing

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner’s earliest convenience.

Applicant's undersigned attorney can be reached at (614) 486-3585. All correspondence should continue to be directed to the address indicated below.

Respectfully submitted,



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